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REASONS FOR ALLOWANCE

1. Claims 4-7 are allowed. The following is an examiner's statement of reasons for allowance:
2. The closest prior art references Ekman (US 4,822,535), Moiser (US 4,492,720), Hatsuda (US 6,194,531) and Cruise (Biomaterials) fail to expressly disclose or in combination teach the claimed process of forming hydrogel microspheres, comprising mixing the claimed aqueous solutions, forming an emulsion with the claimed particle diameter. Wherein the first and second hydrogel precursors of the aqueous solution are the compounds claimed. The selection of the claimed components within the part art involves an unduly and unobvious amount of modifications, wherein the reference fails to motivate one to arrive at the claimed process falling within all of the claimed parameters. See Remarks dated 03/02/2010. It is not known in the art of encapsulation to combine the claimed components, there is no motivation to do so, nor, would it have been obvious to one of ordinary skill at the time of the invention. Hence, the invention as a whole is regarded as novel and unobvious over the prior art.
3. After reviewing the after final remarks dated 03/02/2010, the examiner contacted applicant's representative on 03/18/2010 to indicate the allowability of claim 4 if rewritten to include all of the limitations of claim 1. Applicant's representative submitted the amended allowable claims on 3/19/2010, thus placing the application in condition for allowance.
4. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SAIRA HAIDER whose telephone number is (571)272-3553. The examiner can normally be reached on Monday-Friday from 10am-6pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Seidleck can be reached on (571) 272-1078. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/James J. Seidleck/
Supervisory Patent Examiner, Art Unit 1796

Saira Haider
Examiner
Art Unit 1796